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Principal Deputy Assistant Attorney General

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P.O. Box 683
5 Washington, D.C. 20044
202-353-1857 (v)
6 202-307-0054 (f)
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7 Of Counsel:
8 DAYLE ELIESON
9 US Attorney

10 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DOUGLAS H. CLARK, et al.

16 Defendants.

2:18-cv-00525-JAD-PAL

**ORDER GRANTING
UNITED STATES' MOTION FOR A STAY
IN LIGHT OF LAPSE OF
APPROPRIATIONS**

17 ECF Nos. 19, 22, 23, 24, 31

18 The United States of America hereby moves for a stay the above-captioned case.

19 1. At the end of the day on December 21, 2018, the appropriations act that had been
20 funding the Department of Justice expired and appropriations to the Department
21 lapsed. The same is true for several other Executive agencies, including the federal
22 Plaintiff herein. The Department does not know when funding will be restored by
23 Congress.

1 2. Absent an appropriation, Department of Justice attorneys and employees of the
2 federal Plaintiff are prohibited from working, even on a voluntary basis, except in
3 limited circumstances, including “emergencies involving the safety of human life or
4 the protection of property.” 31 U.S.C. § 1342.

5 3. Undersigned counsel for the Department of Justice therefore requests a stay of
6 this case and all deadlines until Congress has restored appropriations to the
7 Department.

8 4. If this motion for a stay is granted, undersigned counsel will notify the Court as
9 soon as Congress has appropriated funds for the Department. The Government
10 requests that, at that point, all current deadlines for the parties be extended
11 commensurate with the duration of the lapse in appropriations.
12

13
14 Therefore, although we greatly regret any disruption caused to the Court and the
15 other litigants, the Government hereby moves for a stay of this case until Department
16 of Justice attorneys are permitted to resume their usual civil litigation functions.
17

18 Dated: December 26, 2018.

19 RICHARD E. ZUCKERMAN
20 Principal Deputy Assistant Attorney General

21 /s/ Boris Kukso
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Of Counsel:
U.S. Attorney
Dayle Elieson

Attorneys for United States

ORDER

Good cause appearing, IT IS HEREBY ORDERED that the motion to stay [ECF No. 31] is GRANTED; this action is STAYED until the funding for the Department of Justice has been restored. Once it has been restored, any party may file a motion to lift this stay. All pending motions [ECF Nos. 19, 22, 23, 24] are DENIED without prejudice to their refiling once the stay is lifted.



U.S. District Judge Jennifer A. Dorsey
Dated: January 14, 2019